

ORDINANCE NO. 2008-09

AN ORDINANCE, amending Ordinance No. 2565 regarding the establishment and functions of the Traffic Violations Bureau.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
WENATCHEE DO ORDAIN** as follows:

SECTION I

The provisions of Ordinance No. 2565, Section 1 and Section 2, Wenatchee City Code Chapter 8.52, is amended to read in its entirety as follows:

8.52.010 Established.

There is hereby established pursuant to RCW 3.30.090, a Traffic Violations Bureau for the City to be known as the Traffic Violations Bureau. The Traffic Violations Bureau herein established shall be in conformance with Chapter 46.63 RCW and RCW 3.30.090.

8.52.020 Authority/Jurisdiction.

- a. The Traffic Violations Bureau shall operate under the supervision of the Chelan County District Court, to assist the Court in processing traffic offenses.
- b. This Chapter shall confer authority upon the Court in conjunction with jurisdiction and authority otherwise available to allow any and all traffic offenses, including criminal violations or infractions, to be processed through the City Traffic Violations Bureau.
- c. Any traffic offense made such by virtue of City enactment, shall be designated a traffic offense, violation or infraction, which may be processed through the Traffic Violations Bureau.
- d. The Traffic Violations Bureau is authorized to receive the posting of bail for specified offenses and as authorized by the Chelan County District Court, to accept forfeiture of bail and payment of penalties.

(1) The Court shall specify the amount of bail to be posted and shall also specify the circumstances or conditions which will require an appearance before the Court.

(2) The Traffic Violations Bureau, upon accepting the prescribed bail, shall issue a receipt to the alleged violator, which receipt shall bear a legend informing the violator of the legal consequences of bail forfeiture.

(3) The Traffic Violations Bureau shall transfer daily to the Clerk of the proper department of the Court all bail posted for offenses where forfeiture is not authorized by the Court Order, as well as copies of all receipts.

8.52.030 Disposition of Funds.

All forfeitures or penalties paid to the Traffic Violations Bureau for violations of municipal ordinances shall be placed in the City General Fund.

SECTION II

If any section, subsection, sentence, clause, phrase or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this Ordinance.

SECTION III

This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY WENATCHEE,

at a regular meeting thereof, this 13 day of March, 2008.

CITY OF WENATCHEE

By: 

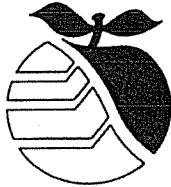
DENNIS JOHNSON, Mayor

ATTEST:

By: Vicki Reister
VICKI REISTER, City Clerk

APPROVED:

By: Steve D. Smith
STEVE D. SMITH, City Attorney



City of
Wenatchee
Office of City Attorney

To: Mayor Dennis Johnson and the Wenatchee City Council

From: Steve D. Smith, City Attorney *SDS*

Date: March 10, 2008

Re: Ordinance No. 2008-09/Traffic Violations Bureau

The City of Wenatchee established a Traffic Violations Bureau by Ordinance No. 2565 enacted in 1985. The Traffic Violations Bureau provides an efficient mechanism to handle traffic infractions and other specific civil violations without processing them through the court system. The original ordinance references a Wenatchee Municipal Court, which no longer exists. The statute authorizing Traffic Violations Bureaus, RCW 3.30.090, specifies that Traffic Violations Bureaus derive their authority by written order of the court having jurisdiction of traffic cases, and other specific offenses under City ordinance. By Interlocal Agreement, the Chelan County District Court has jurisdiction of traffic offenses and other specific offenses under City ordinance. Ordinance No. 2008-09 is proposed to bring our ordinance current with state law and our existing practice.

SDS/tls